

WILLMAR CITY COUNCIL PROCEEDINGS  
COUNCIL CHAMBERS  
WILLMAR MUNICIPAL UTILITIES BUILDING  
WILLMAR, MINNESOTA

July 7, 1999  
7:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Honorable Mayor Lester Heitke. Members present on a roll call were Mayor Heitke, Council Members Verna Kelly, Denis Anderson, Ron Christianson, Bruce DeBlieck, Douglas Reese, Nancy Houlahan, and Rick Fagerlie; Present 8, Absent 1 - Council Member Jim Dokken.

Also present were City Attorney Richard Ronning, Public Works Director Mel Odens, and City Clerk Kevin Halliday.

Council Member Reese requested that the Planning Commission Minutes be removed from the Consent Agenda.

Council Member Kelly offered a motion adopting the Consent Agenda which included the following: City Council Minutes of June 23, Municipal Utilities Commission Minutes of June 28, Citizens Cable Advisory Committee Minutes of May 17, and Police Civil Service Commission Minutes of June 28, 1999. Council Member DeBlieck seconded the motion, which carried.

The Mayor and Council discussed Planning Commission Minutes Item No. 5 regarding the phrase "The Planning Commission prefers that Robbins Island not be developed for camp ground purposes." Council Member Reese spoke against this position noting that the planning retreat showed support for a campground. No supporting information or research was conducted. Council Member Reese moved to remove the phrase from the Planning Commission minutes, and seconded by Council Member Kelly. Following discussion, Council Member Kelly moved to table the motion, Council Member Reese seconded the motion, which carried. Following discussion, the Planning Commission Minutes of June 22, 1999, were accepted as presented, with the exception of Item No. 5, and ordered placed on file in the City Clerk's Office upon motion by Council Member Reese, seconded by Council Member Kelly and carried.

Mayor Heitke recognized Daniel Owen Green and Anthony Paul VanDellen, who found a large sum of money and returned the money to the business who lost it. Mayor Heitke was pleased to acknowledge this act of citizenship, demonstrating how to live in a community and set an example for others. Mayor Heitke then presented to them Certificates of Merit.

Mayor Heitke recognized Erin Toedter-USDA Willmar Office and Richard Halterman, who presented to the Mayor and Council an update on the Hawk Creek Watershed Project.

This watershed, consisting of 614,000 drainage acres, recently received a Clean Water Partnership Grant of \$148,000.00. This grant is a Phase I, diagnostic study of the watershed. The inlet to Willmar Lake and the outlet of Foot Lake are monitored for various pollution criteria. Phase I being conducted through March of 2001, will identify priority areas of pollution. A Phase II Clean Water Partnership Grant would be solicited to develop an implementation plan of corrective action in a cooperative manner with the landowners on a voluntary basis.

Phase I will identify priority areas with the ultimate goal to implement land use changes to improve water quality. This matter was for information only.

City Clerk Halliday informed the Mayor and Council that pursuant to procedures required by Minnesota Statutes for granting a competitive cable television franchise, it is necessary for the City Council to set a public hearing to consider applications received for a cable franchise.

Following discussion, Resolution No. 1 was introduced by Council Member Reese, seconded by Council Member Kelly, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 1

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that the City will hold a hearing on Wednesday, July 21, 1999, at 7:05 p.m. to consider the applications received for a cable franchise.

Dated this 7<sup>th</sup> day of July, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Public Works Director Odens presented to the Mayor and Council a request for final payment from ABE Construction Company for the Wastewater Treatment Plant trickling filter media project. Following discussion, Resolution No. 2 was introduced by Council Member Reese, seconded by Council Member Kelly, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 2

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

IMPROVEMENT: Waste Treatment Plant Trickling Filter Media Replacement

CONTRACTOR:	ABE Construction
DATE OF CONTRACT:	December 14, 1998
BEGIN WORK:	March 22, 1999
COMPLETE WORK:	June 24, 1999
APPROVE, CITY ENGINEER:	

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said Waste Treatment Plant Trickling Filter Media Replacement be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$313,000.00
Change Orders (None)	\$3942.00
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$316,942.00
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$316,942.00
Less Previous Payments (Estimate Nos. 1 & 2)	\$306,942.00
FINAL PAYMENT DUE CONTRACTOR:	\$10,000.00

Dated this 7<sup>th</sup> day of July, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Public Works Director Odens presented to the Mayor and Council bid tabulations for the Wastewater Treatment Plant truck/sewer flusher. Following discussion, Resolution No. 3 was introduced by Council Member Kelly, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO.3

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Flexible Pipe Tool Company of St. Cloud, Minnesota for one 37,000 GVW Truck and High Velocity Sewer Cleaner is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$74,919.00.

Dated this 7<sup>th</sup> day of July, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Public Works Director Odens presented to the Mayor and Council a request for final payment from Randy Kramer Excavating for the Ice Arena Site Work Project (Blue Line Club second sheet of ice building). Following discussion, Resolution No. 4 was introduced by Council Member Reese, seconded by Council Member Kelly, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 4

ACCEPTING PROJECT AND AUTHORIZING FINAL PAYMENT

IMPROVEMENT: Blue Line Center Site Work

CONTRACTOR:	Randy Kramer Excavating
DATE OF CONTRACT:	August 10, 1998
BEGIN WORK:	September 2, 1998
COMPLETE WORK:	May 19, 1999
APPROVE, CITY ENGINEER:	June 28, 1999

BE IT RESOLVED by the City Council of the City of Willmar, Minnesota, that:

1. The said Ice Arena Site Work be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$89,013.75
Change Orders	-\$16,228.91
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$72,784.84
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$72,784.84
Less Previous Payments (Estimate Nos. 1 & 2)	\$67,839.34
FINAL PAYMENT DUE CONTRACTOR:	\$4,945.50

Dated this 7<sup>th</sup> day of July, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Public Works Director Odens presented to the Mayor and Council bid tabulations for Project No. 9904 - Seal Coat Improvements. Following discussion, Resolution No. 5 was introduced by Council Member Kelly, seconded by Council Member Reese, read by Mayor Heitke, and approved on a roll call vote of Ayes 7, Noes 0.

RESOLUTION NO. 5

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the bid of Caldwell Asphalt Company, Inc. of Hawick, Minnesota for Project No. 9904 - 1999 Seal Coat Improvements Project is accepted, and be it further resolved that the Mayor and City Administrator of the City of Willmar are hereby authorized to enter into an agreement with the bidder for the terms and consideration of the contract in the amount of \$47,646.15.

Dated this 7<sup>th</sup> day of July, 1999.

/s/ Lester Heitke  
MAYOR

/s/ Kevin Halliday  
Attest: CITY CLERK

Announcements for Council Committee meeting dates were as follows: Public Works/Safety, July 13; Planning Commission July 13; and Labor Relations July 14.

There being no further business to come before the Council, the meeting adjourned at 8:04 p.m. upon motion by Council Member Reese, seconded by Council Member Kelly, and carried.

Attest:

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MAYOR

\_\_\_\_\_  
SECRETARY TO THE COUNCIL